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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

DUNWOODY, AARON M

ART UNIT PAPER NUMBER

3679

DATE MAILED: 02/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/620,126

Applicant(s)

KRUCK, STEFAN

Examiner

Aaron M Dunwoody

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 October 2004.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-16 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 14 October 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Drawings

The drawings were received on 10/14/2004. These drawings are approved.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 9-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 9 and 10 recite the limitation " the plumbing fixtures " in line 2. There is insufficient antecedent basis for this limitation in the claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7 and 9-16 are rejected under 35 U.S.C. 102(b) as being anticipated by US patent 4443028, Hayes.

In regards to claim 1, Hayes discloses a plug-in connector comprising:

a plug-in bushing (12) associated with the plumbing fixture;

an undercut (28) associated with the plug-in bushing; and

a flange (52) having a non-circular shaped perimeter, the flange being attachable to a line (14) near an end of the line, wherein the line is connected to the plumbing fixture by inserting the line with the flange thereon into the plug-in bushing beyond the undercut, and engaging the flange with the undercut by rotating the flange.

In regards to claim 2, Hayes discloses the undercut being configured such that the line, along with the flange, may be rotated to the extent that withdrawal of the line from the plug-in bushing will be prevented by engagement of the flange with the undercut.

In regards to claim 3, Hayes discloses the undercut being configured such that the undercut and flange will be wedged together when the line is rotated.

In regards to claim 4, Hayes discloses the flange being configured such that the undercut and flange will be wedged together when the line is rotated.

In regards to claim 5, Hayes discloses the undercut and the flange jointly forming a bayonet connector when the line is rotated.

In regards to claim 6, Hayes discloses the undercut being formed on one side of the plug-in bushing only.

In regards to claim 7, Hayes discloses the undercut being formed around the end of the line.

In regards to claim 9, as best understood, Hayes discloses the plumbing fixture having a housing and the plug-in bushing being formed in an adapter element, situated between a mixer cartridge and the housing of the a plumbing fixture.

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In regards to claim 10, as best understood, Hayes discloses the plumbing fixture having a housing and the undercut being formed in the housing of a plumbing fixture.

In regards to claim 11, Hayes discloses the undercut being formed in the adapter element.

In regards to claim 12, Hayes discloses ends of the undercut in the adapter element being open and may be closed by inserting the adapter into the housing of the plumbing fixture.

In regards to claim 13, Hayes discloses ends of the plug-in bushing in the adapter element being open and may be closed by inserting the adapter into the housing of the plumbing fixture.

In regards to claim 14, Hayes discloses the flange being located at a distance from the free end of the line.

In regards to claim 15, Hayes discloses an axial force acting on the flange forcing the flange up against the undercut in order to clamp the end of the line having the flange in the plug-in bushing.

In regards to claim 16, Hayes discloses an elastic element (16) being provided in order to exert the axial force acting on the flange.

In regards to claim 17, Hayes discloses the elastic element being formed by an O-Ring.

Claims 1-16 are rejected under 35 U.S.C. 102(b) as being anticipated by US patent 2819097, Lang.

In regards to claim 1, Lang discloses a plug-in connector comprising:
a plug-in bushing (10) associated with the plumbing fixture;
an undercut (31, 34) associated with the plug-in bushing; and
a flange (45) having a non-circular shaped perimeter, the flange being attachable to a line (42) near an end of the line, wherein the line is connected to the plumbing fixture by inserting the line with the flange thereon into the plug-in bushing beyond the undercut, and engaging the flange with the undercut by rotating the flange.

In regards to claim 2, Lang discloses the undercut being configured such that the line, along with the flange, may be rotated to the extent that withdrawal of the line from the plug-in bushing will be prevented by engagement of the flange with the undercut.

In regards to claim 3, Lang discloses the undercut being configured such that the undercut and flange will be wedged together when the line is rotated.

In regards to claim 4, Lang discloses the flange being configured such that the undercut and flange will be wedged together when the line is rotated.

In regards to claim 5, Lang discloses the undercut and the flange jointly forming a bayonet connector when the line is rotated.

In regards to claim 6, Lang discloses the undercut being formed on one side of the plug-in bushing only.

In regards to claim 7, Lang discloses the undercut being formed around the end of the line.

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In regards to claim 8, Lang discloses the undercut being at least partially formed ahead of the plug-in bushing.

In regards to claim 9, as best understood, Lang discloses the plumbing fixture having a housing and the plug-in bushing being formed in an adapter element, situated between a mixer cartridge and the housing of the a plumbing fixture.

In regards to claim 10, as best understood, Lang discloses the plumbing fixture having a housing and the undercut being formed in the housing of a plumbing fixture.

In regards to claim 11, Lang discloses the undercut being formed in the adapter element.

In regards to claim 12, Lang discloses ends of the undercut in the adapter element being open and may be closed by inserting the adapter into the housing of the plumbing fixture.

In regards to claim 13, Lang discloses ends of the plug-in bushing in the adapter element being open and may be closed by inserting the adapter into the housing of the plumbing fixture.

In regards to claim 14, Lang discloses the flange being located at a distance from the free end of the line.

In regards to claim 15, Lang discloses an axial force acting on the flange forcing the flange up against the undercut in order to clamp the end of the line having the flange in the plug-in bushing.

In regards to claim 16, Lang discloses an elastic element (39) being provided in order to exert the axial force acting on the flange.

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In regards to claim 17, Lang discloses the elastic element being formed by an O-Ring.

Response to Arguments

Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure because it illustrates the inventive concept of the invention.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron M Dunwoody whose telephone number is 703-306-3436. The examiner can normally be reached on 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P Stodola can be reached on 703-306-5771. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Aaron M Dunwoody
Examiner
Art Unit 3679

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